



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb0006/11 12  
ALL:kmg:pg

Today

SENATE AMENDMENT,  
TO 2001 SENATE BILL 55

D-NOTE

#. Page 251, line 7: delete "~~or, to~~" and substitute "~~or, to~~".

NOTE: Corrects underscoring.

1 At the locations indicated, amend the bill as follows:

2 1. Page 177, line 10: delete "~~poll or~~ registration" and substitute "poll ~~or~~  
3 registration".

\*\*\*\*NOTE: Corrects striking to make the sentence consistent with the treatment of the rest of the section.

4 2. Page 347, line 15: delete "Inc." and substitute "Inc.,".

5 3. Page 526, line 18: delete "minority civil engineer" and substitute "~~minority~~  
6 civil engineer".

\*\*\*\*NOTE: See the NOTE to the item for page 527, line 7.

7 4. Page 527, line 7: delete "minority civil engineer".

\*\*\*\*NOTE: Corrects a reference to reflect the renaming of the minority civil engineer scholarship and loan repayment incentive grant program to the scholarship and loan repayment incentive grant program.

8 5. Page 588, line 12: after "146," insert "section 6,".

9 6. Page 686, line 6: delete "water" and substitute "water.".

1           **7.** Page 692, line 15: delete “, as affected by 1999 Wisconsin Act”.

      \*\*\*\*NOTE: This amendment deletes the delayed treatment of s. 36.09 (1) (c), stats.,  
by 1999 Wisconsin Act 42.

2           **8.** Page 692, line 16: delete “42, section 18,”.

      \*\*\*\*NOTE: This amendment deletes the delayed treatment of s. 36.09 (1) (e), stats.,  
by 1999 Wisconsin Act 42.

3           **9.** Page 720, line 13: delete the material beginning with “operating” and  
4 ending with “119” on line 14 and substitute “in which the charter school is located”.

5           **10.** Page 849, line 2: on lines 2 and 3, after “50.065,” insert “50.52,”.

      \*\*\*\*NOTE: Inserts reference to authorize imposition of sanctions for violation of  
section referenced.

6           **11.** Page 874, line 1: delete lines 1 to 8 and substitute “assignable. The  
7 department shall withhold, suspend or revoke approval for a failure to comply with  
8 s. 165.40 (6) (a) 1. or 2., but, except as provided in s. 50.498, otherwise may not  
9 withhold, suspend or revoke approval unless for a substantial failure to comply with  
10 ss. 50.32 to 50.39 or the rules and standards adopted by the department after giving  
11 a reasonable notice, a fair hearing and a reasonable opportunity to comply. Failure  
12 by a hospital to comply with s. 50.36 (3m) shall be considered to be a substantial  
13 failure to comply under this section.”.

      \*\*\*\*NOTE: Repeals language that is redundant to and narrower than the treatment  
of s. 50.03 (5g) (e), stats.

14          **12.** Page 875, line 8: delete that line and substitute:

15          **“SECTION 1933g.** 50.49 (9) of the statutes is amended to read:

16          50.49 (9) RIGHT OF INJUNCTION. ~~All orders~~ An order issued by the department  
17 under for a violation of this section shall be enforced by the attorney general. The  
18 circuit court of Dane County shall have jurisdiction to enforce such orders by  
19 injunctive and other appropriate relief.”.

\*\*\*\*NOTE: Corrects treatment of s. 50.49 (9), stats., to conform that treatment to s. 50.03 (5g) (b), stats. (renumbered s. 50.02 (3m) (a) 1.), and s. 50.39 (4), stats.

1           **13.** Page 879, line 6: delete “regulation” and substitute “regulation rules”.

2           **14.** Page 879, line 8: delete “licensee’s” and substitute “licensee’s entity’s”.

3           **15.** Page 883, line 19: after that line insert:

4           “(am) In determining whether a forfeiture is to be imposed under par. (a) 1. and  
5 in fixing the amount of the forfeiture to be imposed under par. (a) 2., if any, for a  
6 violation, the department shall consider the following factors:

7           1. The gravity of the violation, including the probability that death or serious  
8 physical or psychological harm to a patient will result or has resulted; the severity  
9 of the actual or potential harm; and the extent to which the provisions of the  
10 applicable statutes or rules were violated.

11           2. Good faith exercised by the treatment facility. Indications of good faith  
12 include awareness of the applicable statutes and rules and reasonable diligence in  
13 complying with such requirements, prior accomplishments manifesting the  
14 treatment facility’s desire to comply with the requirements, efforts to correct, and  
15 any other mitigating factors in favor of the treatment facility.

16           3. Any previous violations committed by the treatment facility.

17           4. The financial benefit to the treatment facility of committing or continuing  
18 the violation.”.

\*\*\*\*NOTE: Requires consideration of factors in imposing forfeitures on treatment facilities that are identical to those required to be considered in imposing forfeitures on health care facilities under the treatment of s. 50.98 (2), stats.

19           **16.** Page 930, line 17: substitute “sub.” for “s. 69.20”.

20           **17.** Page 959, line 10: delete “from 1999 WI”.

21           **18.** Page 959, line 11: delete “Act 185”.

1       **19.** Page 990, line 21: after “by” insert “the discharge of”.

      \*\*\*\*NOTE: This item is necessary to make the section consistent with similar provisions under ss. 75.105 and 75.106, stats.

2       **20.** Page 1015, line 23: after that line insert:

3       “1. Law enforcement.”.

      \*\*\*\*NOTE: This item restores language that was unintentionally deleted.

4       **21.** Page 1024, line 6: delete “86.225” and substitute “86.255”.

5       **22.** Page 1156, line 15: delete the underscored material beginning with “or  
6       any private” and ending with “in the city” on line 16.

7       **23.** Page 1156, line 17: after “city” insert “or any private school located outside  
8       the city that is situated on property, any portion of which is located in the city.”.

9       **24.** Page 1204, line 1: substitute “126.85” for “127.85”.

10      **25.** Page 1205, line 25: after “obligations” insert “under”.

11      **26.** Page 1375, line 16: after that line insert:

12      “**SECTION 3011d.** 196.66 (3) (b) 1. and 3. of the statutes are amended to read:  
13      196.66 (3) (b) 1. The appropriateness of the forfeiture to the volume of business  
14      of the public utility or telecommunications provider.”

15      3. Any good faith attempt to achieve compliance after the public utility,  
16      telecommunications provider, agent, director, officer, or employee receives notice of  
17      the violation.”.

      \*\*\*\*NOTE: This item amends s. 196.66 (3) (b) 1. and 3., stats., to make them consistent with the amendment of s. 196.66 (3) (b) (intro.).

18      **27.** Page 1463, line 20: delete “(intro.)”.

19      **28.** Page 1615, line 23: after “number” insert “or federal income tax number”.

20      **29.** Page 1672, line 5: after “department” insert “or county department”.

\*\*\*\*NOTE: This item supplies a necessary reference to a county department of human services or social services (county department) in s. 938.208 (1) (intro.), stats. That reference is necessary because county departments supervise juveniles placed in a Type 2 child caring institution or in the intensive supervision program.

1       **30.** Page 1721, line 18: after that line insert:

2       “**SECTION 4041m.** 1997 Wisconsin Act 237, section 82er is repealed.

3       **SECTION 4041n.** 1997 Wisconsin Act 237, section 9452 is repealed.”.

\*\*\*\*NOTE: This treatment is necessary to abolish the land information board on the effective date of the biennial budget act.

4       **31.** Page 1722, line 21: after that line insert:

5       “**SECTION 4065m.** 1999 Wisconsin Act 42, sections 18 and 27 are repealed.”.

\*\*\*\*NOTE: This provision is necessary to abolish the land information board on the biennial budget bill's effective date.

6       **32.** Page 1728, line 3: delete “secretary” and substitute “executive director”.

\*\*\*\*NOTE: Corrects a reference to the head of the TEACH board, which is an executive director, not a secretary.

7       **33.** Page 1751, line 16: delete “*increases*” and substitute “*decreases*”.

\*\*\*\*NOTE: This corrects the title of the paragraph to make it consistent with the substance of the paragraph, which involves a decrease in FTE positions.

8       **34.** Page 1769, line 2: delete lines 2 to 11.

\*\*\*\*NOTE: This item eliminates a subsection that is redundant to SECTION 9152 (2).

9       **35.** Page 1775, line 10: delete “workforce”.

\*\*\*\*NOTE: The correct name of the department referred to in this provision is the “department of administration,” not the “department of workforce administration.”

10       **36.** Page 1801, line 20: substitute “2m.” for “2.”.

\*\*\*\*NOTE: This corrects a cross-reference that was not changed when the statutory provision dealing with lake management project grants was renumbered.

11       **37.** Page 1805, line 6: delete “January of” and substitute “January 1 of”.

12       **38.** Page 1817, line 19: delete “301.205,” and substitute “301.025,”.

\*\*\*\*NOTE: This item corrects two transposed digits in a statutory reference in the effective date provision for the elimination of the juvenile boot camp program. Section 301.025, stats., not s. 301.205, stats., is affected by the bill.

1           **39.** Page 1819, line 22: delete that line and substitute “(6g) and (16m), 69.11  
2           (3) (b) 2., 69.18 (1) (bm) (intro.) and (2) (a) and (d) 1. and 2., 69.20 (2) (c), and 69.21  
3           (1) (a) 2. b. of the”.

\*\*\*NOTE: Adds to the delayed effective date those provisions affected by other delayed statutory changes.

4           **40.** Page 1825, line 20: delete “takes” and substitute “, and SECTION 9352 (4)  
5           of this act take”.

\*\*\*\*NOTE: Adds an initial applicability provision for sections 938.17 (2) (d), 938.34 (8), and 938.343 (2) to the delayed effective date for those sections.

6 (END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0006/11dn  
ALL:kmg:pg

May 22, 2001

**ATTENTION:** The DRAFTER'S NOTE *must always accompany REDRAFTS* of this amendment.

This is the **LRB technical amendment to Senate Bill 55**. See Steve Miller's memo of February 20, 2001, item #5, for instructions.

**ATTENTION:** Attorneys — when redrafting, **DO NOT HOLD** on your desk as others will also need to add items to this amendment. Thank you.

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0006/12dn  
ALL:kmg:jf

May 29, 2001

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## **Barman, Mike**

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**From:** Barman, Mike  
**Sent:** Tuesday, May 29, 2001 11:55 AM  
**To:** Aaron Gary; Becky Tradewell; Cathlene Hanaman; Debora Kennedy; Gordon Malaise; Ivy Sager-Rosenthal; Jeffery Kuesel; Joseph Kreyo; Madelon Lief; Marc Shovers; Mark Kunkel; Mary Glass; Michael Dsida; Pam Kahler; Peggy Hurley; Peter Dykman; Peter Grant; Rick Champagne; Robert Marchant; Robert Nelson; Robin Kite; Robin Ryan; Steve Miller; Timothy Fast  
**Subject:** LRBb0006/12 (attached) (LRB Tech. Amend.)

### ***Mike Barman***

Mike Barman - Senior Program Asst. (PH. 608-266-3561)  
(E-Mail: [mike.barman@legis.state.wi.us](mailto:mike.barman@legis.state.wi.us)) (FAX: 608-264-6948)

State of Wisconsin  
Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb0006/12-13  
ALL:kmg:jf

SENATE AMENDMENT ,  
TO 2001 SENATE BILL 55

in 6-5-01  
VK

D-NOTE

50071  
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2       **19.** Page 959, line 11: delete “Act 185”.

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      \*\*\*\*NOTE: This item is necessary to make the section consistent with similar provisions under ss. 75.105 and 75.106, stats.

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5       “1. Law enforcement.”.

      \*\*\*\*NOTE: This item restores language that was unintentionally deleted.

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      \*\*\*\*NOTE: This item amends s. 196.66 (3) (b) 1. and 3., stats., to make them consistent with the amendment of s. 196.66 (3) (b) (intro.).

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5       **SECTION 4041n.** 1997 Wisconsin Act 237, section 9452 is repealed.”.

      \*\*\*\*NOTE: This treatment is necessary to abolish the land information board on the effective date of the biennial budget act.

6       **32.** Page 1722, line 21: after that line insert:

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      \*\*\*\*NOTE: Corrects a reference to the head of the TEACH board, which is an executive director, not a secretary.

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      \*\*\*\*NOTE: This item eliminates a subsection that is redundant to SECTION 9152 (2).

11      **36.** Page 1775, line 10: delete “workforce”.

      \*\*\*\*NOTE: The correct name of the department referred to in this provision is the “department of administration,” not the “department of workforce administration.”

12      **37.** Page 1801, line 20: substitute “2m.” for “2.”.

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13      **38.** Page 1805, line 6: delete “January of” and substitute “January 1 of”.

14      **39.** Page 1817, line 19: delete “301.205,” and substitute “301.025,”.

✓ ~~38.~~ Page 1805, line 4: delete “July 1” and substitute “July 31”.

\*\*\*\*NOTE: This item corrects two transposed digits in a statutory reference in the effective date provision for the elimination of the juvenile boot camp program. Section 301.025, stats., not s. 301.205, stats., is affected by the bill.

**40.** Page 1819, line 22: delete that line and substitute “(6g) and (16m), 69.11 (3) (b) 2., 69.18 (1) (bm) (intro.) and (2) (a) and (d) 1. and 2., 69.20 (2) (c), and 69.21 (1) (a) 2. b. of the”.

**\*\*\*NOTE:** Adds to the delayed effective date those provisions affected by other delayed statutory changes.

**41.** Page 1825, line 20: delete “takes” and substitute “, and SECTION 9352 (4) of this act take”.

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**(END)**

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0006/12dn 13  
ALL:kmg:jf

May 29, 2001

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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0006/13dn  
ALL:kmg:kjf

June 5, 2001

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## **Barman, Mike**

---

**From:** Barman, Mike  
**Sent:** Tuesday, June 05, 2001 3:37 PM  
**To:** Aaron Gary; Becky Tradewell; Cathlene Hanaman; Debora Kennedy; Gordon Malaise; Ivy Sager-Rosenthal; Jeffery Kuesel; Joseph Kreye; Madelon Lief; Marc Shovers; Mark Kunkel; Mary Glass; Michael Dsida; Pam Kahler; Peggy Hurley; Peter Dykman; Peter Grant; Rick Champagne; Robert Marchant; Robert Nelson; Robin Kite; Robin Ryan; Steve Miller; Timothy Fast  
**Subject:** LRBb0006/13 (LRB Tech. Amend. - attached)

### ***Mike Barman***

Mike Barman - Senior Program Asst. (PH. 608-266-3561)  
(E-Mail: [mike.barman@legis.state.wi.us](mailto:mike.barman@legis.state.wi.us)) (FAX: 608-264-6948)

State of Wisconsin  
Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb0006/18 14  
ALL:kmg:kjf

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TO 2001 SENATE BILL 55

Thurs.  
a.m.

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4 **15.** Page 879, line 8: delete “licensee’s” and substitute “licensee’s entity’s”.

5 **16.** Page 883, line 19: after that line insert:

6 “(am) In determining whether a forfeiture is to be imposed under par. (a) 1. and  
7 in fixing the amount of the forfeiture to be imposed under par. (a) 2., if any, for a  
8 violation, the department shall consider the following factors:

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10 physical or psychological harm to a patient will result or has resulted; the severity  
11 of the actual or potential harm; and the extent to which the provisions of the  
12 applicable statutes or rules were violated.

13 2. Good faith exercised by the treatment facility. Indications of good faith  
14 include awareness of the applicable statutes and rules and reasonable diligence in  
15 complying with such requirements, prior accomplishments manifesting the  
16 treatment facility’s desire to comply with the requirements, efforts to correct, and  
17 any other mitigating factors in favor of the treatment facility.

18 3. Any previous violations committed by the treatment facility.

19 4. The financial benefit to the treatment facility of committing or continuing  
20 the violation.”.

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2       **19.** Page 959, line 11: delete “Act 185”.

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8       any private” and ending with “in the city” on line 16.

9       **24.** Page 1156, line 17: after “city” insert “or any private school located outside  
10       the city that is situated on property, any portion of which is located in the city.”.

11       **25.** Page 1204, line 1: substitute “126.85” for “127.85”.

12       **26.** Page 1205, line 25: after “obligations” insert “under”.

13       **27.** Page 1375, line 16: after that line insert:

14       “**SECTION 3011d.** 196.66 (3) (b) 1. and 3. of the statutes are amended to read:  
15       196.66 (3) (b) 1. The appropriateness of the forfeiture to the volume of business  
16       of the public utility or telecommunications provider.

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20       **28.** Page 1463, line 20: delete “(intro.)”.

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2           **30.** Page 1672, line 5: after “department” insert “or county department”.

      \*\*\*\*NOTE: This item supplies a necessary reference to a county department of human services or social services (county department) in s. 938.208 (1) (intro.), stats. That reference is necessary because county departments supervise juveniles placed in a Type 2 child caring institution or in the intensive supervision program.

3           **31.** Page 1721, line 18: after that line insert:

4           “SECTION 4041m. 1997 Wisconsin Act 237, section 82er is repealed.

5           SECTION 4041n. 1997 Wisconsin Act 237, section 9452 is repealed.”.

      \*\*\*\*NOTE: This treatment is necessary to abolish the land information board on the effective date of the biennial budget act.

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7           “SECTION 4065m. 1999 Wisconsin Act 42, sections 18 and 27 are repealed.”.

      \*\*\*\*NOTE: This provision is necessary to abolish the land information board on the biennial budget bill's effective date.

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      \*\*\*\*NOTE: Corrects a reference to the head of the TEACH board, which is an executive director, not a secretary.

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10          **35.** Page 1769, line 2: delete lines 2 to 11.

      \*\*\*\*NOTE: This item eliminates a subsection that is redundant to SECTION 9152 (2).

11          **36.** Page 1775, line 10: delete “workforce”.

      \*\*\*\*NOTE: The correct name of the department referred to in this provision is the “department of administration,” not the “department of workforce administration.”

12          **37.** Page 1801, line 20: substitute “2m.” for “2.”.

      \*\*\*\*NOTE: This corrects a cross-reference that was not changed when the statutory provision dealing with lake management project grants was renumbered.

13          **38.** Page 1805, line 4: delete “July 1” and substitute “July 31”.

14          **39.** Page 1805, line 6: delete “January of” and substitute “January 1 of”.

**40.** Page 1817, line 19: delete “301.205,” and substitute “301.025.”

\*\*\*NOTE: This item corrects two transposed digits in a statutory reference in the effective date provision for the elimination of the juvenile boot camp program. Section 301.025, stats., not s. 301.205, stats., is affected by the bill.

**41.** Page 1819, line 22: delete that line and substitute “(6g) and (16m), 69.11

(3) (b) 2., 69.18 (1) (bm) (intro.) and (2) (a) and (d) 1. and 2., 69.20 (2) (c), and 69.21

(1) (a) 2. b. of the".

\*\*\*\*NOTE: Adds to the delayed effective date those provisions affected by other delayed statutory changes.

**42.** Page 1825, line 20: delete “takes” and substitute “, and SECTION 9352 (4)”

of this act take".

\*\*\*NOTE: Adds an initial applicability provision for sections 938.17 (2) (d), 938.34 (8), and 938.343 (2) to the delayed effective date for those sections.

**(END)**



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0006/13dn  
ALL:kmg:kjf

June 5, 2001

**ATTENTION:** The **DRAFTER'S NOTE** ***must***  
***always accompany REDRAFTS*** of this amendment.

This is the **LRB technical amendment to Senate Bill 55**. See Steve Miller's memo of February 20, 2001, item #5, for instructions.

**ATTENTION:** Attorneys — when redrafting, **DO NOT HOLD** on your desk as others will also need to add items to this amendment. Thank you.

## **Barman, Mike**

---

**From:** Barman, Mike  
**Sent:** Thursday, June 07, 2001 11:22 AM  
**To:** Aaron Gary; Becky Tradewell; Cathlene Hanaman; Debora Kennedy; Gordon Malaise; Ivy Sager-Rosenthal; Jeffery Kuesel; Joseph Kreye; Madelon Lief; Marc Shovers; Mark Kunkel; Mary Glass; Michael Dsida; Pam Kahler; Peggy Hurley; Peter Dykman; Peter Grant; Rick Champagne; Robert Marchant; Robert Nelson; Robin Kite; Robin Ryan; Steve Miller; Timothy Fast  
**Subject:** LRBb0006/14 (LRB Tech. Amend. - attached)

### ***Mike Barman***

Mike Barman - Senior Program Asst. (PH. 608-266-3561)  
(E-Mail: [mike.barman@legis.state.wi.us](mailto:mike.barman@legis.state.wi.us)) (FAX: 608-264-6948)

State of Wisconsin  
Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0006/14dn  
ALL:kmg:jf

June 7, 2001

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State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb0006/14  
ALL:kmg:jf

SENATE AMENDMENT ,  
TO 2001 SENATE BILL 55

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 177, line 10: delete "~~poll or~~ registration" and substitute "poll ~~or~~  
3 registration".

\*\*\*\*NOTE: Corrects striking to make the sentence consistent with the treatment of  
the rest of the section.

4 **2.** Page 251, line 7: delete "~~or, to~~" and substitute "~~or, to~~".

\*\*\*\*NOTE: Corrects underscoring.

5 **3.** Page 347, line 15: delete "Inc." and substitute "Inc.,".

6 **4.** Page 511, line 12: after "9," insert "319j,".

7 **5.** Page 526, line 18: delete "minority civil engineer" and substitute "~~minority~~  
8 civil engineer".

\*\*\*\*NOTE: See the NOTE to the item for page 527, line 7.

9 **6.** Page 527, line 7: delete "minority civil engineer".

\*\*\*\*NOTE: Corrects a reference to reflect the renaming of the minority civil engineer  
scholarship and loan repayment incentive grant program to the scholarship and loan  
repayment incentive grant program.

1       **7.** Page 588, line 12: after “146,” insert “section 6,”.

2       **8.** Page 686, line 6: delete “water” and substitute “water.”.

3       **9.** Page 692, line 15: delete “, as affected by 1999 Wisconsin Act”.

      \*\*\*\*NOTE: This amendment deletes the delayed treatment of s. 36.09 (1) (e), stats.,  
by 1999 Wisconsin Act 42.

4       **10.** Page 692, line 16: delete “42, section 18,”.

      \*\*\*\*NOTE: This amendment deletes the delayed treatment of s. 36.09 (1) (e), stats.,  
by 1999 Wisconsin Act 42.

5       **11.** Page 720, line 13: delete the material beginning with “operating” and  
6 ending with “119” on line 14 and substitute “in which the charter school is located”.

7       **12.** Page 849, line 2: on lines 2 and 3, after “50.065,” insert “50.52,”.

      \*\*\*\*NOTE: Inserts reference to authorize imposition of sanctions for violation of  
section referenced.

8       **13.** Page 874, line 1: delete lines 1 to 8 and substitute “assignable. The  
9 ~~department shall withhold, suspend or revoke approval for a failure to comply with~~  
10 ~~s. 165.40 (6) (a) 1. or 2., but, except as provided in s. 50.498, otherwise may not~~  
11 ~~withhold, suspend or revoke approval unless for a substantial failure to comply with~~  
12 ~~ss. 50.32 to 50.39 or the rules and standards adopted by the department after giving~~  
13 ~~a reasonable notice, a fair hearing and a reasonable opportunity to comply. Failure~~  
14 ~~by a hospital to comply with s. 50.36 (3m) shall be considered to be a substantial~~  
15 ~~failure to comply under this section.”.~~

      \*\*\*\*NOTE: Repeals language that is redundant to and narrower than the treatment  
of s. 50.03 (5g) (e), stats.

16       **14.** Page 875, line 8: delete that line and substitute:

17       “**SECTION 1933g.** 50.49 (9) of the statutes is amended to read:

18       50.49 (9) RIGHT OF INJUNCTION. ~~All orders~~ An order issued by the department  
19 under for a violation of this section shall be enforced by the attorney general. The

1 circuit court of Dane County shall have jurisdiction to enforce such orders by  
2 injunctive and other appropriate relief.”.

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3 **15.** Page 879, line 6: delete “regulation” and substitute “regulation rules”.

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6 “(am) In determining whether a forfeiture is to be imposed under par. (a) 1. and  
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\*\*\*\*NOTE: Requires consideration of factors in imposing forfeitures on treatment  
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health care facilities under the treatment of s. 50.98 (2), stats.

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5       “1. Law enforcement.”.

      \*\*\*\*NOTE: This item restores language that was unintentionally deleted.

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9       **25.** Page 1156, line 17: after “city” insert “or any private school located outside  
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3           **32.** Page 1721, line 18: after that line insert:

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5           SECTION 4041n. 1997 Wisconsin Act 237, section 9452 is repealed.”.

      \*\*\*\*NOTE: This treatment is necessary to abolish the land information board on the effective date of the biennial budget act.

6           **33.** Page 1722, line 21: after that line insert:

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      \*\*\*\*NOTE: This item eliminates a subsection that is redundant to SECTION 9152 (2).

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      \*\*\*\*NOTE: The correct name of the department referred to in this provision is the “department of administration,” not the “department of workforce administration.”

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7 (END)

15

**SENATE AMENDMENT ,  
TO 2001 SENATE BILL 55**

DATE

By 12:45  
Today

RM  
NOT  
RUN

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          \*\*\*\*NOTE: Inserts reference to authorize imposition of sanctions for violation of  
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8           **13.** Page 874, line 1: delete lines 1 to 8 and substitute “assignable. The  
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10 s. 165.40 (6) (a) 1. or 2., but, except as provided in s. 50.498, otherwise may not  
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INSERT 4-7

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\*\*\*\*NOTE: This item supplies a necessary reference to a county department of human services or social services (county department) in s. 938.208 (1) (intro.), stats. That reference is necessary because county departments supervise juveniles placed in a Type 2 child caring institution or in the intensive supervision program.

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\*\*\*\*NOTE: The correct name of the department referred to in this provision is the “department of administration,” not the “department of workforce administration.”

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\*\*\*\*NOTE: This corrects a cross-reference that was not changed when the statutory provision dealing with lake management project grants was renumbered.

13 **39.** Page 1805, line 4: delete “July 1” and substitute “July 31”.

14 **40.** Page 1805, line 6: delete “January of” and substitute “January 1 of”.

**41.** Page 1817, line 19: delete “301.205,” and substitute “301.025,”.

**\*\*\*\*NOTE:** This item corrects two transposed digits in a statutory reference in the effective date provision for the elimination of the juvenile boot camp program. Section 301.025, stats., not s. 301.205, stats., is affected by the bill.

**42.** Page 1819, line 22: delete that line and substitute “(6g) and (16m), 69.11

(3) (b) 2., 69.18 (1) (bm) (intro.) and (2) (a) and (d) 1. and 2., 69.20 (2) (c), and 69.21

(1) (a) 2. b. of the".

\*\*\*\*NOTE: Adds to the delayed effective date those provisions affected by other delayed statutory changes.

**43.** Page 1825, line 20: delete “takes” and substitute “, and SECTION 9352 (4) of this act take”.

\*\*\*\*NOTE: Adds an initial applicability provision for sections 938.17 (2) (d), 938.34 (8), and 938.343 (2) to the delayed effective date for those sections.

**(END)**

**2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0006/15insMK  
MDK:.....

**INSERT 4-7:**

- ✓ **1.** Page 1115, line 24: delete "GEOGRAPHICAL" and substitute "GEOGRAPHIC".
- ✓ **2.** Page 1115, line 25: delete "Geographical" and substitute "Geographic".
- ✓ **3.** Page 1116, line 3: on lines 3, 8, 11, 17, and 23, delete "Geographical" and substitute "Geographic".

\*\*\*\*NOTE: The above items correct the name of the National Geographic Society Education Foundation.

**INSERT 5-9:**

- ✓ **4.** Page 1730, line 22: delete "Geographical" and substitute "Geographic".
- ✓ **5.** Page 1731, line 4: delete "Geographical" and substitute "Geographic".

\*\*\*\*NOTE: The above items correct the name of the National Geographic Society Education Foundation.



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0006/14<sup>15</sup>dn  
ALL:kmg:jf

June 7, 2001

**ATTENTION:** The **DRAFTER'S NOTE** ***must***  
***always accompany REDRAFTS*** of this amendment.

This is the **LRB technical amendment to Senate Bill 55**. See Steve Miller's memo of February 20, 2001, item #5, for instructions.

**ATTENTION:** Attorneys — when redrafting, **DO NOT HOLD** on your desk as others will also need to add items to this amendment. Thank you.

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0006/15dn

ALL:kmg:rs

June 8, 2001

**ATTENTION:** The **DRAFTER'S NOTE** ***must***  
***always accompany REDRAFTS*** of this amendment.

This is the **LRB technical amendment to Senate Bill 55**. See Steve Miller's memo of February 20, 2001, item #5, for instructions.

**ATTENTION:** Attorneys — when redrafting, **DO NOT HOLD** on your desk as others will also need to add items to this amendment. Thank you.

## **Barman, Mike**

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**From:** Barman, Mike  
**Sent:** Friday, June 08, 2001 12:29 PM  
**To:** Aaron Gary; Becky Tradewell; Cathlene Hanaman; Debora Kennedy; Gordon Malaise; Ivy Sager-Rosenthal; Jeffery Kuesel; Joseph Kreye; Madelon Lief; Marc Shovers; Mark Kunkel; Mary Glass; Michael Dsida; Pam Kahler; Peggy Hurley; Peter Dykman; Peter Grant; Rick Champagne; Robert Marchant; Robert Nelson; Robin Kite; Robin Ryan; Steve Miller; Timothy Fast  
**Subject:** LRBb0006/15 (LRB Tech. Amend. - attached)

### ***Mike Barman***

Mike Barman - Senior Program Asst. (PH. 608-266-3561)  
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State of Wisconsin  
Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703

06/08/2001

**Barman, Mike**

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**From:** Barman, Mike  
**Sent:** Friday, June 08, 2001 3:30 PM  
**To:** Holten, Vicki  
**Subject:** LRBb0006/15 (LRB Tech. Amend. - attached - ready to go)  
go)

***Mike Barman***

Mike Barman - Senior Program Asst. (PH. 608-266-3561)  
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State of Wisconsin  
Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703

06/08/2001

**SENATE AMENDMENT ,  
TO 2001 SENATE BILL 55**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 177, line 10: delete “~~poll or~~ registration” and substitute “poll or  
3 registration”.

\*\*\*\*NOTE: Corrects striking to make the sentence consistent with the treatment of  
the rest of the section.

4 **2.** Page 251, line 7: delete “~~or, to~~” and substitute “~~or, to~~”.

\*\*\*\*NOTE: Corrects underscoring.

5 **3.** Page 347, line 15: delete “Inc.” and substitute “Inc.,”.

6 **4.** Page 511, line 12: after “9,” insert “section 319j,”.

7 **5.** Page 526, line 18: delete “minority civil engineer” and substitute “~~minority~~  
8 ~~civil engineer~~”.

\*\*\*\*NOTE: See the NOTE to the item for page 527, line 7.

9 **6.** Page 527, line 7: delete “minority civil engineer”.

\*\*\*\*NOTE: Corrects a reference to reflect the renaming of the minority civil engineer  
scholarship and loan repayment incentive grant program to the scholarship and loan  
repayment incentive grant program.

1           **7.** Page 588, line 12: after “146,” insert “section 6,”.

2           **8.** Page 686, line 6: delete “water” and substitute “water.”.

3           **9.** Page 692, line 15: delete “, as affected by 1999 Wisconsin Act”.

          \*\*\*\*NOTE: This amendment deletes the delayed treatment of s. 36.09 (1) (e), stats.,  
by 1999 Wisconsin Act 42.

4           **10.** Page 692, line 16: delete “42, section 18,”.

          \*\*\*\*NOTE: This amendment deletes the delayed treatment of s. 36.09 (1) (e), stats.,  
by 1999 Wisconsin Act 42.

5           **11.** Page 720, line 13: delete the material beginning with “operating” and  
6 ending with “119” on line 14 and substitute “in which the charter school is located”.

7           **12.** Page 849, line 2: on lines 2 and 3, after “50.065,” insert “50.52,”.

          \*\*\*\*NOTE: Inserts reference to authorize imposition of sanctions for violation of  
section referenced.

8           **13.** Page 874, line 1: delete lines 1 to 8 and substitute “assignable. The  
9 department shall withhold, suspend or revoke approval for a failure to comply with  
10 s. 165.40 (6) (a) 1. or 2., but, except as provided in s. 50.498, otherwise may not  
11 withhold, suspend or revoke approval unless for a substantial failure to comply with  
12 ss. 50.32 to 50.39 or the rules and standards adopted by the department after giving  
13 a reasonable notice, a fair hearing and a reasonable opportunity to comply. Failure  
14 by a hospital to comply with s. 50.36 (3m) shall be considered to be a substantial  
15 failure to comply under this section.”.

          \*\*\*\*NOTE: Repeals language that is redundant to and narrower than the treatment  
of s. 50.03 (5g) (e), stats.

16          **14.** Page 875, line 8: delete that line and substitute:

17          “SECTION 1933g. 50.49 (9) of the statutes is amended to read:

18          50.49 (9) RIGHT OF INJUNCTION. All orders An order issued by the department  
19 under for a violation of this section shall be enforced by the attorney general. The

1 circuit court of Dane County shall have jurisdiction to enforce such orders by  
2 injunctive and other appropriate relief.”.

\*\*\*\*NOTE: Corrects treatment of s. 50.49 (9), stats., to conform that treatment to s.  
50.03 (5g) (b), stats. (renumbered s. 50.02 (3m) (a) 1.), and s. 50.39 (4), stats.

3 **15.** Page 879, line 6: delete “regulation” and substitute “regulation rules”.

4 **16.** Page 879, line 8: delete “licensee’s” and substitute “licensee’s entity’s”.

5 **17.** Page 883, line 19: after that line insert:

6 “(am) In determining whether a forfeiture is to be imposed under par. (a) 1. and  
7 in fixing the amount of the forfeiture to be imposed under par. (a) 2., if any, for a  
8 violation, the department shall consider the following factors:

9 1. The gravity of the violation, including the probability that death or serious  
10 physical or psychological harm to a patient will result or has resulted; the severity  
11 of the actual or potential harm; and the extent to which the provisions of the  
12 applicable statutes or rules were violated.

13 2. Good faith exercised by the treatment facility. Indications of good faith  
14 include awareness of the applicable statutes and rules and reasonable diligence in  
15 complying with such requirements, prior accomplishments manifesting the  
16 treatment facility’s desire to comply with the requirements, efforts to correct, and  
17 any other mitigating factors in favor of the treatment facility.

18 3. Any previous violations committed by the treatment facility.

19 4. The financial benefit to the treatment facility of committing or continuing  
20 the violation.”.

\*\*\*\*NOTE: Requires consideration of factors in imposing forfeitures on treatment  
facilities that are identical to those required to be considered in imposing forfeitures on  
health care facilities under the treatment of s. 50.98 (2), stats.

21 **18.** Page 930, line 17: substitute “sub.” for “s. 69.20”.

1           **19.** Page 959, line 10: delete “from 1999 WI”.

2           **20.** Page 959, line 11: delete “Act 185”.

3           **21.** Page 990, line 21: after “by” insert “the discharge of”.

          \*\*\*\*NOTE: This item is necessary to make the section consistent with similar provisions under ss. 75.105 and 75.106, stats.

4           **22.** Page 1015, line 23: after that line insert:

5           “1. Law enforcement.”.

          \*\*\*\*NOTE: This item restores language that was unintentionally deleted.

6           **23.** Page 1024, line 6: delete “86.225” and substitute “86.255”.

7           **24.** Page 1115, line 24: delete “GEOGRAPHICAL” and substitute “GEOGRAPHIC”.

8           **25.** Page 1115, line 25: delete “Geographical” and substitute “Geographic”.

9           **26.** Page 1116, line 3: on lines 3, 8, 11, 17 and 23, delete “Geographical” and  
10 substitute “Geographic”.

          \*\*\*\*NOTE: The above 3 items correct the name of the National Geographic Society Education Foundation.

11           **27.** Page 1156, line 15: delete the underscored material beginning with “or  
12 any private” and ending with “in the city” on line 16.

13           **28.** Page 1156, line 17: after “city” insert “or any private school located outside  
14 the city that is situated on property, any portion of which is located in the city.”.

15           **29.** Page 1204, line 1: substitute “126.85” for “127.85”.

16           **30.** Page 1205, line 25: after “obligations” insert “under”.

17           **31.** Page 1375, line 16: after that line insert:

18           “SECTION 3011d. 196.66 (3) (b) 1. and 3. of the statutes are amended to read:



1           196.66 (3) (b) 1. The appropriateness of the forfeiture to the volume of business  
2 of the public utility or telecommunications provider.

3           3. Any good faith attempt to achieve compliance after the public utility,  
4 telecommunications provider, agent, director, officer, or employee receives notice of  
5 the violation.”.

      \*\*\*\*NOTE: This item amends s. 196.66 (3) (b) 1. and 3., stats., to make them  
consistent with the amendment of s. 196.66 (3) (b) (intro.).

6           **32.** Page 1463, line 20: delete “(intro.)”.

7           **33.** Page 1615, line 23: after “number” insert “or federal income tax number”.

8           **34.** Page 1672, line 5: after “department” insert “or county department”.

      \*\*\*\*NOTE: This item supplies a necessary reference to a county department of  
human services or social services (county department) in s. 938.208 (1) (intro.), stats.  
That reference is necessary because county departments supervise juveniles placed in a  
Type 2 child caring institution or in the intensive supervision program.

9           **35.** Page 1721, line 18: after that line insert:

10          “**SECTION 4041m.** 1997 Wisconsin Act 237, section 82er is repealed.

11          **SECTION 4041n.** 1997 Wisconsin Act 237, section 9452 is repealed.”.

      \*\*\*\*NOTE: This treatment is necessary to abolish the land information board on the  
effective date of the biennial budget act.

12          **36.** Page 1722, line 21: after that line insert:

13          “**SECTION 4065m.** 1999 Wisconsin Act 42, sections 18 and 27 are repealed.”.

      \*\*\*\*NOTE: This provision is necessary to abolish the land information board on the  
biennial budget bill's effective date.

14          **37.** Page 1728, line 3: delete “secretary” and substitute “executive director”.

      \*\*\*\*NOTE: Corrects a reference to the head of the TEACH board, which is an  
executive director, not a secretary.

15          **38.** Page 1730, line 22: delete “Geographical” and substitute “Geographic”.

16          **39.** Page 1731, line 4: delete “Geographical” and substitute “Geographic”.

      \*\*\*\*NOTE: The above 2 items correct the name of the National Geographic Society  
Education Foundation.

**40.** Page 1751, line 16: delete “increases” and substitute “decreases”.

\*\*\*\*NOTE: This corrects the title of the paragraph to make it consistent with the substance of the paragraph, which involves a decrease in FTE positions.

**41.** Page 1769, line 2: delete lines 2 to 11.

**\*\*\*\*NOTE: This item eliminates a subsection that is redundant to SECTION 9152 (2).**

**42.** Page 1775, line 10: delete “workforce”.

**\*\*\*\*NOTE:** The correct name of the department referred to in this provision is the “department of administration,” not the “department of workforce administration.”

**43.** Page 1801, line 20: substitute “2m.” for “2.”.

**\*\*\*NOTE:** This corrects a cross-reference that was not changed when the statutory provision dealing with lake management project grants was renumbered.

**44.** Page 1805, line 4: delete “July 1” and substitute “July 31”.

**45.** Page 1805, line 6: delete “January of” and substitute “January 1 of”.

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**47.** Page 1819, line 22: delete that line and substitute “(6g) and (16m), 69.11

(3) (b) 2., 69.18 (1) (bm) (intro.) and (2) (a) and (d) 1. and 2., 69.20 (2) (c), and 69.21

(1) (a) 2. b. of the".

**\*\*\*\*NOTE: Adds to the delayed effective date those provisions affected by other delayed statutory changes.**

**48.** Page 1825, line 20: delete “takes” and substitute “, and SECTION 9352 (4)”

of this act take".

**\*\*\*\*NOTE: Adds an initial applicability provision for sections 938.17 (2) (d), 938.34 (8), and 938.343 (2) to the delayed effective date for those sections.**

**(END)**